

<i>Attorney or Party without Attorney:</i>					<i>For Court Use Only</i>
ALEXANDER C. B. BARNARD CREDIT SUISSE SECURITIES (USA) LLC 11 MADISON AVENUE NEW YORK, NY 10010 Telephone No: 212-325-2000					
Ref. No. or File No.:					
<i>Attorney for Plaintiff</i>					
<i>Insert name of Court, and Judicial District and Branch Court:</i>					
United States District Court, Southern District Of New York					
<i>Plaintiff:</i> CREDIT SUISSE SECURITIES (USA) LLC					
<i>Defendant:</i> JOHN L. SULLIVAN II					
PROOF OF SERVICE SUMMONS & COMPLAINT		<i>Hearing Date:</i>	<i>Time:</i>	<i>Dept/Div:</i>	<i>Case Number:</i>
					07 CIV 8556

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of the SUMMONS IN A CIVIL CASE; CIVIL COVER SHEET; PETITIONER CREDIT SUISSE SECURITIES (USA) LLC DISCLOSURES PURSUANT TO RULE 7.1; PETITION FOR INJUNCTIVE RELIEF PENDING ARBITRATION; DECLARATION OF ALEXANDER C.B. BARNARD; DECLARATION OF CAREY H. TIMBRELL IN SUPPORT OF PETITIONER'S EMERGENCY MOTION FOR INJUNCTION IN AID OF ARBITRATION.

3. a. *Party served:* JOHN L. SULLIVAN II

4. *Address where the party was served:* 29 LLOYDEN DRIVE
ATHERTON, CA 94027

5. *I served the party:*

- a. by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on: Tue., Oct. 16, 2007 (2) at: 6:07PM

6. *The "Notice to the Person Served" (on the Summons) was completed as follows:*

- a. as an individual defendant

7. *Person Who Served Papers:*

- a. ELLENOR RIOS

Recoverable Cost Per CCP 1033.5(a)(4)(B)

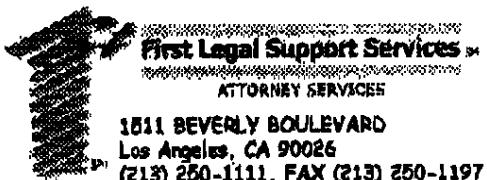
d. *The Fee for Service was:*

e. I am: (3) registered California process server

(i) Owner

(ii) Registration No.: 984

(iii) County: Santa Clara



8. I declare under penalty of perjury under the laws of the State of California and under the laws of the United States Of America that the foregoing is true and correct.

Date: Wed, Oct. 17, 2007

ACKNOWLEDGMENT

State of California

County of SAN FRANCISCOOn 10/17/07 before me, GREG MIDDLETON, NOTARY PUBLIC
(here insert name and title of the officer)personally appeared ELLENOR RIOS

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature Greg Middleton

(Seal)